IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 18970 of 2007(G)

OS.29/2003 of I ADDL.SUB COURT, KOZHIKODE
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PETITIONERS:
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1. CHERIYA MAYIN, S/O. MUNDOLI KUNHALI, MUNDOLI HOUSE, LALLALAM P.O., KOZHIKODE TALUK.

2. MUNDOLI KUNHAMUTTY, S/O. MUNDOLI KUNHALI, MUNDOLI HOUSE, LALLALAM P.O., KOZHIKODE TALUK.

3. MUNDOLI MUHAMMED, S/O. MUNDOLI KUNHALI, MUNDOLI HOUSE, LALLALAM P.O., KOZHIKODE TALUK.

4. MUNDOLI ABOOBACKER, S/O. MUNDOLI KUNHALI, MUNDOLI HOUSE, NALLALAM P.O., KOZHIKODE TALUK.

BY ADV. SRI.R.RAMADAS

RESPONDENT:

MYLADI KELAMBATH SATHI AMMA, D/O. LAKSHMI AMMA, SREEHARI, NALLALAM P.O., KOZHIKODE TALUK.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 18970 OF 2007

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Dated this the 21st day of June, 2007.

J U D G M E N T

This writ petition is filed to set aside orders Exts.P8 and P9 in O.S.29/03. Ext.P8 is an order whereby the learned Subordinate Judge appointed one Sri.Madhusudan as Commissioner. As per Ext.P9 since Madhusudan returned warrant of Commission complaining about the non-co-operation of parties, the Court appointed Sri.M. Sumesh as the Advocate Commissioner. Now, the present writ petitioner has filed Ext.P5 to review the order in I.A.2014/03. Really, since the Court has passed another order it may not be strictly correct to direct Ext.P5 application to be disposed of but in order to facilitate the party to avoid filing large number of applications I permit the writ petitioner to amend Ext.P5 application within a period of one month and direct the Court to dispose of the said application within a period of

one month thereafter, after hearing both sides. Till that time the implementation of the order in Ext.P9 shall remain suspended.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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